

QUESTIONNAIRE FOR FILING PROPOSED RULES WITH  
THE ARKANSAS LEGISLATIVE COUNCIL AND JOINT INTERIM COMMITTEE

DEPARTMENT/AGENCY Arkansas Department of Education  
DIVISION Accountability  
DIVISION DIRECTOR Dr. Charity Smith  
CONTACT PERSON Ron Tolson  
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INSTRUCTIONS

- A. Please make copies of this form for future use.
- B. Please answer each question completely using layman terms. You may use additional sheets, if necessary.
- C. If you have a method of indexing your rules, please give the proposed citation after "Short Title of this Rule" below.
- D. Submit two (2) copies of this questionnaire & financial impact statement attached to the front of two (2) copies of your proposed rule and required documents. Mail or deliver to:

Donna K. Davis  
Subcommittee on Administrative Rules and Regulations  
Arkansas Legislative Council  
Bureau of Legislative Research  
Room 315, State Capitol  
Little Rock, AR 72201

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1. What is the short title of this rule? **Rules Governing the Renewal of a Standard Arkansas Teaching License**
2. What is the subject of the proposed rule? **How to renew a standard Arkansas teaching license.**
3. Is this rule required to comply with federal statute or regulations? Yes\_\_\_\_\_No\_\_\_X\_\_\_\_  
If yes, please provide the federal regulation and/or statute citation.
4. Was this rule filed under the emergency provisions of the Administrative Procedures Act?  
Yes\_\_\_\_\_No\_\_\_X\_\_\_\_  
If yes, what is the effective date of the emergency rule?  
  
When does the emergency rule expire?  
  
Will this emergency rule be promulgated under the permanent provisions of the Administrative Procedure Act? Yes\_\_\_\_\_No\_\_\_\_\_

5. Is this a new rule? Yes \_\_\_\_\_ No \_\_\_\_\_ If yes, please provide a brief summary explaining the regulation.
- Does this repeal an existing rule? Yes \_\_\_X\_\_\_ No \_\_\_\_\_ If yes, a copy of the repealed rule is to be included with your completed questionnaire. If it is being replaced with a new rule, please provide a summary of the rule giving an explanation of what the rule does.
- Is this an amendment to an existing rule? Yes \_\_\_\_\_ No \_\_\_\_\_ If yes, please attach a markup showing the changes in the existing rule and a summary of the substantive changes.  
**NOTE: The summary should explain what the amendment does, and the mark-up copy should be clearly labeled "mark-up."**
6. Cite the state law grants the authority for this proposed rule. If codified, please give Arkansas Code citation. **Ark. Code Ann. §§ 6-11-105 (Rep. 1999), 25-15-204 (Supp. 1999) and 6-17-402.**
7. What is the purpose of this proposed rule? Why is it necessary? **These rules are necessary for providing guidance for the renewal of a standard Arkansas teaching license under the new performance-based licensure system.**
8. Will a public hearing be held on this proposed rule? Yes \_\_\_\_\_X\_\_\_\_\_ No \_\_\_\_\_  
If yes, please complete the following:
- Date: October 12, 2004**  
**Time: 1:00 P. M.**  
**Place: Ark. Dept. of Education - Auditorium**
9. When does the public comment period expire for permanent promulgation? (Must provide a date.) **October 22, 2004**
10. What is the proposed effective date of this proposed rule? (Must provide a date.)  
**December 15, 2004**
11. Do you expect this rule to be controversial? Yes \_\_\_\_\_ No \_\_\_X\_\_\_  
If yes, please explain.
12. Please give the names of persons, groups, or organizations that you expect to comment on these rules. Please provide their position (for or against) if known.  
**Personnel Officers, teachers and administrators of public schools. Agency and organization directors outside the public school arena that employ licensed teachers.**

## FINANCIAL IMPACT STATEMENT

DEPARTMENT Arkansas Department of Education  
DIVISION Accountability  
PERSON COMPLETING THIS STATEMENT Ron Tolson  
TELEPHONE NO. 501-682-4342 FAX NO. 501-682-4898  
EMAIL [rtolson@arkedu.k12.ar.us](mailto:rtolson@arkedu.k12.ar.us)

To comply with Act 1104 of 1995, please complete the following Financial Impact Statement and file two copies with the questionnaire and proposed rules.

SHORT TITLE OF THIS RULE **Proposed Rules Governing the Renewal of a Standard Arkansas Teaching License**

1. Does this proposed, amended, or repealed rule or regulation have a financial impact?      Yes \_\_\_\_\_      No X \_\_\_\_\_
2. If you believe that the development of a financial impact statement is so speculative as to be cost prohibited, please explain.
3. If the purpose of this rule or regulation is to implement a federal rule or regulation, please give the incremental cost for implementing the regulation. Please indicate if the cost provided is the cost of the program.

**Current Fiscal Year**

General Revenue \_\_\_\_\_  
Federal Funds \_\_\_\_\_  
Cash Funds \_\_\_\_\_  
Special Revenue \_\_\_\_\_  
Other (Identify) \_\_\_\_\_

Total \_\_\_\_\_

**Next Fiscal Year**

General Revenue \_\_\_\_\_  
Federal Funds \_\_\_\_\_  
Cash Funds \_\_\_\_\_  
Special Revenue \_\_\_\_\_  
Other (Identify) \_\_\_\_\_

Total \_\_\_\_\_

4. What is the total estimated cost by fiscal year to any party subject to the proposed, amended, or repealed rule or regulation? Identify the party subject to the proposed regulation and explain how they are affected.

**Current Fiscal Year**

\$ \_\_\_\_\_-0- \_\_\_\_\_

**Next Fiscal Year**

\$ \_\_\_\_\_-0- \_\_\_\_\_

5. What is the total estimated cost by fiscal year to the agency to implement this regulation? There is no additional cost incurred by the ADE.

**Current Fiscal Year**

\$ \_\_\_\_\_-0- \_\_\_\_\_

**Next Fiscal Year**

\$ \_\_\_\_\_-0- \_\_\_\_\_

DEPARTMENT OF EDUCATION  
FISCAL IMPACT STATEMENT OF PROPOSED REGULATION  
(In compliance with Acts 884 and 1253 of 1995)

Regulation Title: **Rules Governing the Requirements and Procedures For Renewing a Standard Arkansas Teaching License**

Summary Description of Regulatory Proposal: **These rules will provide information and procedures for renewing an Arkansas teaching license.**

Cite Statutory Authority for this Regulatory Proposal: Ark. Code Ann. 6-11-105 (Rep. 1999), 25-15-204 ( Supp. 1999) and 6-17-402.

- I. Fiscal Impact on the Department: (include whether impacts are non-recurring or recurring)
  - A. Resources Required - Personnel, equipment, office space.  
Non-recurring
  - B. Time Required for Implementation.  
Non-recurring
  - C. Procedural Changes.  
Non-recurring
  - D. Other.  
Non-recurring
- II. Fiscal Impact on Local School District or Others? (Include whether impacts are non-recurring or recurring)
  - A. Resources Required - Personnel, equipment, office space.  
Non-recurring
  - B. Time Required for Implementation.  
Non-recurring
  - C. Procedural Changes.  
Non-recurring
  - D. Other.  
Non-recurring
- III. Additional Comments. None.

Prepared by: (Name) Ron Tolson  
(Title) Coordinator, Professional Licensure  
(Date) September 15, 2004

**ARKANSAS DEPARTMENT OF EDUCATION  
PROPOSED RULES GOVERNING THE REQUIREMENTS AND PROCEDURES  
FOR RENEWING A STANDARD ARKANSAS TEACHING LICENSE**

**1.00    PURPOSE**

**1.01**    The purpose of these rules is to establish the requirements and procedures for renewing a standard Arkansas teaching license.

**2.00    REGULATORY AUTHORITY**

**2.01**    These rules are promulgated pursuant to the authority of the State Board of Education under Ark. Code Ann. 6-11-105 (Rep1999), 25-15-204 (Supp.1999) and Ark.Code Ann. 6-17-402.

**3.00    DEFINITIONS- For purposes of this rule the following terms shall be defined as follows:**

**3.01**    Teaching Experience- That time period of experience gained while working in an educational setting as a teacher, librarian counselor, administrator, educational consultant, or substitute teacher, etc.

**3.02**    Educational Setting- The employment setting where one is working as a teacher, librarian, counselor, administrator, educational consultant, or substitute teacher. This may be a public or private school, college/ university, educational co-op, Department of Education, adult education setting, or other agency or organization that employs licensed teachers in an educational setting.

**3.03**    Professional - Development                      A coordinated set of planned, research-based, learning activities for teachers and administrators employed in positions directly related to instructional activities that is tied to the improvement of student achievement, the teachers/administrators personal improvement plan and the overall school improvement plan. Professional development for licensed employees in positions, not directly related to instructional activities shall be prorated among those

areas specifically related to their job assignment.

- 3.04** Year of Teaching Experience - A year of teaching experience shall be a minimum of 120 days per school year or calendar year while employed in an educational setting.
- 3.05** Immediate Previous Year - The spring and fall semester of the current calendar year, (OR) the spring semester of the current calendar year and the prior fall semester.
- 3.06** College Level Coursework - Coursework taken from a regionally or nationally accredited college/university that is in the area of licensure (OR) professional education coursework at the current level of licensure (OR) educational technology/computer courses (OR) a combination of the above mentioned.
- 3.07** Three-Quarter Time - That period of time employed during a school or calendar year that equals three fourths of the contracted/work time for that school, agency or other organization that employs licensed teachers. Teachers employed three-quarter time, shall have completed 45 hours of professional development.
- 3.08** One-Half Time - That period of time employed during a school or calendar year that equals one half of the contracted/work time for that school, agency or other organization that employs licensed teachers. Teachers employed one-half time, shall have completed 30 hours of professional development.
- 3.09** One-Quarter Time - That period of time employed during a school or calendar year that equals one quarter of the contracted/work time for that school, agency or other organization

that employs licensed teachers.  
Teachers employed one-quarter time,  
shall have completed 15 hours of  
professional development.

**3.10 Grace Period**

- That period of time immediately following the expiration of a standard teaching license, not to exceed one calendar year or one school year, for which a teacher is granted a provisional license in order to satisfy general renewal requirements.

**4.00 GENERAL RENEWAL REQUIREMENTS FOR A STANDARD ARKANSAS TEACHING LICENSE**

**4.01** Teachers holding a current, valid five-year standard Arkansas teaching license may renew that license provided they meet the following general renewal requirements.

**4.01.1** Teachers not teaching in a public school setting or teachers that have not met requirements for the automatic renewal of their teaching license shall submit an application for the renewal of their teaching license to the Office of Professional Licensure.

**4.01.2** The teacher shall document at least two years of teaching experience during the previous five (5) years or one (1) year of teaching experience for the immediate previous year.

**4.01.3** The teacher shall have successfully all background checks as required by law.

**4.01.4** If employed full time, the teacher shall document sixty (60) hours of professional development for each year of experience during the previous five (5) years.

**4.01.5** Professional development for teachers employed part time shall be pro-rated on the basis of three-quarter time, half-time or one-quarter time.

**4.01.6** A teacher may add partial years of experience over the previous five years to document the two years of

teaching experience necessary to renew their teaching license.

**4.02** Teachers holding a valid, six (6) or ten (10) year standard teaching license, shall meet the following general renewal requirements:

**4.02.1** Teachers not teaching in a public school setting, or teachers that have not met requirements for the automatic renewal of their teaching license shall submit an application for the renewal of their teaching license to the Office of Professional Licensure.

**4.02.2** The teacher shall document at least two (2) years of teaching during the previous five (5) years or one (1) year of teaching experience for the immediate previous year.

**4.02.3** If employed full-time, the teacher shall document sixty (60) hours of professional development for each year taught beginning with the 2005-2006 school year.

**4.02.4** The teacher shall have successfully completed all background checks as required by law.

**4.02.5** Professional development for teachers employed part time shall be pro-rated on the basis of three-quarter time, half-time or one-quarter time.

**4.02.6** A teacher may add partial years of experience over the previous five years to document the two years of teaching experience necessary to renew their teaching license.

**5.00** **REQUIREMENTS FOR THE RENEWAL OF A STANDARD FIVE (5), SIX (6) OR TEN (10) YEAR TEACHING LICENSE THAT HAS BEEN EXPIRED FOR ONE (1) YEAR OR LONGER.**

**5.01** Teachers holding a standard five (5), six (6), or ten (10) year teaching license that has been expired for one (1) year or longer, may have their license renewed provided they meet the following renewal requirements:



- 5.01.1** The teacher shall submit a completed application for the renewal of their teaching license to the Office of Professional Licensure.
- 5.01.2** The teacher shall have successfully completed all background checks as required by law.
- 5.01.3** Teachers that have completed a previous specialty area assessment in at least one licensure/endorsement area may choose to complete the following requirements:
- 5.01.3.1** Successfully complete the current state required specialty area assessment in at least one licensure/endorsement area;  
[AND]
- 5.01.3.2** Successfully complete the current state required pedagogy assessment at their level of licensure. When the teacher holds licensure areas at different levels, they may take the pedagogy assessment at the level of their choice.  
[OR]
- 5.01.3.3** Complete six hours of college level coursework from a nationally/regionally accredited college or university.
- 5.01.4** Teachers that have never successfully completed a specialty area assessment in at least one licensure/endorsement area shall successfully complete the current, state required specialty area assessment in at least one of their licensure/endorsement areas and successfully complete the current state required pedagogy assessment at their level of licensure. When the teacher holds licensure at different levels, they may complete the pedagogy assessment at the level of their choice.

**6.00    POLICIES AND PROCEDURES FOR RENEWAL OF A QUALIFIED CANDIDATES STANDARD ARKANSAS TEACHING LICENSE**

- 6.01** The Arkansas standard teaching license shall be renewed for a period of five years.

- 6.02** The effective date of a renewed teaching license shall be January 1 of the year following the expiration date of the license.
- 6.03** The effective date of a renewed teaching license that has been expired longer than one year shall be January 1 of the year renewed.
- 6.04** The expiration date of a renewed standard teaching license shall be December 31 of the fifth year.
- 6.05** The effective date of a one-year, non-renewable, provisional teaching license shall be the hire date as documented by the employer.
- 6.06** The expiration date of a one-year, non-renewable, provisional teaching license shall be one year from the hire date.
- 6.07** There shall be a grace period of one year immediately following the expiration date of a standard teaching license to meet general renewal requirements.
- 6.08** Individuals not teaching in a public school setting or individuals that have not met requirements for the automatic renewal of their teaching license shall submit an application for the renewal of their teaching license to the Office of Professional Licensure.
- 6.09** Teachers applying for the renewal of their teaching license shall have successfully completed all background checks as required by law.
- 6.10** A one-year, non-renewable provisional teaching license shall be available for teachers that have not met general renewal requirements and hold an expired teaching license. Individuals shall have successfully completed all background checks as required by law.
- 6.11** Applications for the renewal of a standard Arkansas teaching license may be submitted to the Office of Professional Licensure as early as six-months prior to the expiration date of the license.
- 6.12** Coursework used for the renewal of a standard teaching license shall be college level and from a regionally/nationally accredited college/university. The coursework shall be in the licensure area(s) held by the teacher (OR) professional education courses at the level of licensure held by the teacher (OR) basic computer/education technology courses.

- 6.13 Documentation of experience for renewal purposes shall be provided by a public school superintendent, director of human resources, or director of other agency/organization employing licensed teachers.
- 6.14 Documentation of the required professional development for the renewal of a teaching license shall be provided by a public school superintendent, human resources director, or director of other agency/ organization employing licensed teachers.
- 6.15 Professional development shall be required for those years taught during the previous five year period or for the one year of teaching experience for the immediate previous year.
- 6.16 Teachers that did not meet renewal requirements under Act 350 of 1985 shall meet the renewal requirements that are required of all other teachers and shall be eligible for a one-year provisional teaching license.
- 6.17 Teachers employed part-time shall be able to add partial years of experience during the previous five years to meet the general renewal requirements.
- 6.18 The Office of Professional Licensure, as authorized by the State Board of Education, reserves the right to amend and/or rescind any Arkansas teaching license that has been issued in error.

**7.00 REQUIRMENTS FOR OBTAINING A ONE-YEAR NON-RENEWABLE PROVISIONAL TEACHING LICENSE.**

- 7.01 The teacher shall hold an expired five (5), six (6) or ten (10) year standard Arkansas teaching license.
- 7.02 The teacher shall have submitted a completed application for the provisional teaching license to the Office of Professional Licensure.
- 7.03 The teacher shall have successfully completed all background checks as required by law.

**8.00 REQUIREMENTS FOR CONVERTING THE ONE-YEAR, NON RENEWABLE PROVISIONAL TEACHING LICENSE TO THE STANDARD, FIVE-YEAR TEACHING LICENSE.**

**8.01** When a teachers license has been expired for one year or longer, a provisional license granted pursuant to section 6.10 may be converted to a standard, five year license provided the teacher has completed the requirements of section 5.00 of these rules.

**9.00 REQUIREMENTS FOR RENEWING A STANDARD TEACHING LICENSE DURING THE ONE-YEAR GRACE PERIOD.**

**9.01** The teacher shall have submitted a completed application for the provisional teaching license to the Office of Professional Licensure.

**9.02** Teachers shall be employed for one school or calendar year in an educational setting the year immediately following the expiration of their teaching license.

**9.03** Teachers shall complete sixty hours of staff development.

## **10.00 GENERAL INFORMATION AND REQUIREMENTS**

- 10.10 Applicants must file a completed application form with the Office of Teacher Education and Licensure, Room 106-B, Department of Education, #4 State Capitol Mall, Little Rock, Arkansas 72201. Applications may be obtained from an institution of higher education, a superintendent of schools, or the Department of Education.

All correspondence concerning the application must include the applicant's social security number. When possible, the application and all required documentation should be submitted in one complete package. Incomplete applications may be returned with no action taken.

All information and documents submitted must be accurate, authentic and not altered in any way. Any certificates issued as a result of any violation of the above shall become null and void.

Duplicate certificates can be issued upon written request from the individual certified. The request must reflect full name of teacher, current mailing address, and social security number; it must also specifically state that all copies of said certificate have been lost and the writer is requesting a duplicate. Duplicates are not issued for expired certificates.

~~10.20 Standard certificates will be issued or renewed only when experience or at least six semester hours of training has taken place within the preceding six years. Experience may be documented by the signature of an Arkansas superintendent on the application form or by submitting on official stationery, signed by an appropriate official, documentation of acceptable experience in an educational setting. Additional verification of experience may be requested.~~

~~Two years' experience within the preceding six years or one year of experience the preceding school year will be accepted as sufficient to meet the experience requirement. One year of experience can be awarded after completion of 120 scheduled days of employment.~~

~~If submitting six semester hours of credit in lieu of experience, the credit must be from a regionally or nationally accredited institution and be in an area of the applicant's certification. (Professional education courses also will be accepted when renewing certificates issued prior to January 1, 1989.) See Section 30.20 for definitions and requirements for renewal of "expiring" and "expired" certificates.~~

## ~~30.00~~ ~~APPLYING FOR RENEWAL OF AN ARKANSAS CERTIFICATE~~

### ~~30.10~~ ~~Eligibility~~

~~Any person possessing a current or expired Arkansas teacher's certificate.~~

### ~~30.20~~ ~~General Renewal Requirements~~

#### ~~a. Expiring Certificates~~

~~Certificates may be renewed as early as six months before or as late as twelve months after the certification expiration date by completing the application process described in Section 10.10 and meeting the experience requirements specified in Section 10.20. Unless otherwise approved, the effective date of the certificate will be January 1 of the current year of expiration.~~

#### ~~b. Expired Certificates~~

~~In order to renew a certificate with an expiration date of more than one year, the applicant must meet requirements in 10.20 and submit an acceptable score on the NTE specialty area test or the NTE Test of Professional Knowledge when the specialty area test does not exist or has not been validated. Unless otherwise approved, the effective date will be January 1 of the current year.~~

### ~~30.30~~ ~~Special Requirements for Certificates Valid During the 1984-85 School Year~~

~~Arkansas certificates that were valid during the 1984-85 school year may be renewed only by meeting again initial certification requirements, or all conditions of Act 350 of 1985, as amended by Act 512 of 1987, or meeting all requirements for new certification adopted by the State Board of Education on December 14, 1987. These requirements may be a part of but do not exempt the applicant from the normal renewal requirements listed in Section 10.20.~~

~~a. A summary of Act 350/512 requirements includes:~~

- ~~1. Passing all three sections of the Arkansas Educational Skills Assessment test.~~

~~AND~~

2. ~~Completing six semester hours of approved non-correspondence senior or graduate level credit in an area of certification or teaching with at least a 3.00 grade point average between January 1, 1980, and September 1, 1987,~~

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~~OR~~

~~completion of a validated NTE specialty area test between January 1, 1980, and September 1, 1987, in an area of certification or teaching with at least the minimum score required for standard certification.~~

b. A summary of State Board requirements for New Certification Passed 12/14/87 includes:

1. ~~Satisfactory completion of the Pre-Professional Skills Test (PPST) in any or all areas in which the applicant did not pass/take the Arkansas Educational Skills Assessment Test.~~
2. ~~Completion of the NTE Test of Professional Knowledge since January 1, 1980, with a minimum score of 634.~~
3. ~~Completion of a validated NTE specialty area test since January 1, 1980, in an area of certification or teaching with the minimum score required for standard certification.~~
4. ~~Completion of six (6) semester hours of non-correspondence senior or graduate level credit in an area of certification or teaching with at least a 3.0 grade point average on a 4.0 grade scale taken since September 1, 1987. If an appropriate validated specialty area test does not exist, the applicant must complete twelve semester hours instead of the six described above.~~

c. A summary of initial requirements for recertification includes:

1. ~~Provide a completed application form, official transcripts and evidence that current General Education and initial certification area specialty course requirements are satisfied in at least one area of certification. See Section 10.10 for additional information.~~
2. ~~Provide NTE or other required test scores to the Office of Teacher Education and Licensure, scores required are:~~

~~Test of Professional Knowledge—Minimum Score 642~~

~~—Specialty Area Examination(s) (when applicable)—~~

~~See NTE Score Requirements in appendix or in Specialty Area section. Applicants applying for new certification through an expired Arkansas certificate (Acts 350/512) will be required to successfully complete only one NTE Specialty Area examination in order to have all areas of certification restored provided all other testing and course requirements have been met. Tests and/or qualifying scores may be added, deleted or changed by action of the State Board of Education.~~

- ~~3. Provide evidence that appropriate experience or training has taken place in the preceding six years. See section 10.20 for additional information.~~